

REMARKS

Applicant has carefully reviewed and considered the Final Office Action mailed on December 1, 2005, and the references cited therewith.

Claims 1, 4-5, 7, and 9-10 are amended, claims 6 and 11 are canceled, and claim 23 is added; as a result, claims 1-23 are now pending in this application.

Applicant respectfully submits that claim 23 does not introduce any new subject matter and is intended to cover additional claimable subject matter fully supported by the originally filed specification.

Information Disclosure Statement

Applicant respectfully requests that a copy of the 1449 Form, listing all references that were submitted with the Information Disclosure Statement filed on October 18, 2005, marked as being considered and initialed by the Examiner, be returned with the next official communication.

§ 102 Rejection of the Claims

Claims 1-5, 9, and 10 were rejected under 35 USC § 102(e) as being anticipated by Kurosawa, et al. (U.S. Patent No. 6,714,324). Applicant respectfully traverses the rejections as set forth below.

Applicant does not admit that the Kurosawa reference is indeed prior art and reserves the right to swear behind the same at a later date. Nonetheless, in the interest of furthering prosecution, Applicant has amended independent claims 1 and 9 to incorporate subject matter deemed allowable by the Examiner in connection with now canceled claims 6 and 11, respectively. Applicant notes with appreciation the indication by the Examiner of allowable subject matter in now canceled claims 6 and 11. Insofar as the rejection applies to independent claims 1 and 9, as amended, Applicant respectfully traverses the rejection.

With respect to independent claim 1, Applicant respectfully submits that the Kurosawa reference does not describe each and every element recited in independent claim 1, as amended. For example, the Kurosawa reference does not describe "a plurality of actuation devices disposed on the template body, each for actuating a

respective switch of a plurality of switches, actuation of the switches based on a type of media supported by the template,” as provided in independent claim 1, as amended. This language of a template for a scanning system comprising a plurality of actuation devices each for actuating a respective switch of a plurality of switches was indicated by the Examiner to contain allowable subject matter in connection with now canceled claim 6.

As such, each and every element of independent claim 1, as amended, is not described in the Kurosawa reference. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the § 102 rejection for the above independent claim 1, as well as those claims which depend therefrom.

With respect to independent claim 9, Applicant respectfully submits that the Kurosawa reference does not describe each and every element recited in independent claim 9, as amended. For example, the Kurosawa reference does not describe, “a plurality of switches disposed on the housing each respectively actuatable by one of a plurality of actuation devices on a template,” as provided in independent claim 9, as amended. This language of a plurality of switches disposed on the housing each respectively actuatable by one of a plurality of actuation devices on a template was indicated by the Examiner to contain allowable subject matter in connection with now canceled claim 11.

As such, each and every element of independent claim 9, as amended, is not described in the Kurosawa reference. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the § 102 rejection for the above independent claim 9, as well as those claims which depend therefrom.

Claims 1-5, 9, and 10 were also rejected under 35 USC § 102(e) as being anticipated by Kunishige (U.S. Patent No. 6,195,182).

Applicant does not admit that the Kunishige reference is indeed prior art and reserves the right to swear behind at a future date. Nonetheless, in the interest of furthering prosecution, Applicant has amended independent claims 1 and 9 to incorporate subject matter deemed allowable by the Examiner in connection with now canceled claims 6 and 11, respectively. Applicant notes with appreciation the indication

by the Examiner of allowable subject matter in now canceled claims 6 and 11. Insofar as the rejection applies to independent claims 1 and 9, as amended, Applicant respectfully traverses the rejection.

With respect to independent claim 1, Applicant respectfully submits that the Kunishige reference does not describe each and every element recited in independent claim 1, as amended. For example, the Kunishige reference does not describe, “a plurality of actuation devices disposed on the template body, each for actuating a respective switch of a plurality of switches, actuation of the switches based on a type of media supported by the template,” as provided in independent claim 1, as amended. This language of a template for a scanning system comprising a plurality of actuation devices each for actuating a respective switch of a plurality of switches was indicated by the Examiner to contain allowable subject matter in connection with now canceled claim 6.

As such, each and every element of independent claim 1, as amended, is not described in the Kunishige reference. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the § 102 rejection for the above independent claim 1, as well as those claims which depend therefrom.

With respect to independent claim 9, Applicant respectfully submits that the Kunishige reference does not describe each and every element recited in independent claim 9, as amended. For example, the Kunishige reference does not describe, “a plurality of switches disposed on the housing each respectively actuatable by one of a plurality of actuation devices on a template,” as provided in independent claim 9, as amended. This language of a plurality of switches disposed on the housing each respectively actuatable by one of a plurality of actuation devices on a template was indicated by the Examiner to contain allowable subject matter in connection with now canceled claim 11.

As such, each and every element of independent claim 9, as amended, is not described in the Kunishige reference. Accordingly, Applicant respectfully requests reconsideration and withdrawal of the § 102 rejection for the above independent claims 9, as well as those claims which depend therefrom.

Allowable Subject Matter

Applicant notes with appreciation the allowance of claims 14-22.

Claims 6-8 and 11-13 were objected to as being dependent upon a rejected base claims, but were indicated to be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicant thanks the Examiner for the indication of allowable subject matter in connection with claims 6-8 and 11-13.

Conclusion

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney Gregg W. Wisdom at (360) 212-8052.

At any time during the pendency of this application, please charge any additional fees or credit overpayment to the Deposit Account No. 08-2025.

CERTIFICATE UNDER 37 CFR §1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to:
MS AF Commissioner for Patents, P.O. BOX 1450
Alexandria, VA 22313-1450, on this 23rd day of
February, 2006.

Name

Sarah Reinhard
Signature

Respectfully Submitted,
Kirk S. Tecu, et al.

By their Representatives,
BROOKS & CAMERON, PLLC
1221 Nicollet Avenue, Suite 500
Minneapolis, MN 55403

By:

Edward J. Brooks III
Edward J. Brooks III
Reg. No. 40,925

Date:

2/23/2006